REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-20 are presently pending in this case. Claims 1, 6, 9, 14, 17, and 18 are amended by the present amendment. As amended Claims 1, 6, 9, 14, 17, and 18 are supported by the original disclosure, no new matter is added.

In the outstanding Official Action, Claims 1, 9, 14, 17, and 18 were rejected under 35 U.S.C. §112, second paragraph; Claims 1-3, 5-11, and 13-18 were rejected under 35 U.S.C. §103(a) as unpatentable over Sato (U.S. Patent No. 7,299,271) in view of Kyojima et al. (U.S. Patent No. 6,275,936, herein "Kyojima") and further in view of Takaragi et al. (U.S. Patent No. 6,592,032, herein "Takaragi"); Claims 4 and 12 were rejected under 35 U.S.C. §103(a) as unpatentable over Sato in view of Kyojima and Takaragi and further in view of Dansie et al. (U.S. Patent No. 7,308,487, herein "Dansie"); and Claims 19 and 20 were rejected under 35 U.S.C. §103(a) as unpatentable over Sato in view of Kyojima and Takaragi and further in view of Official Notice.

Applicants and Applicants' representatives thank Examiners Jacobs and Shiu for the courtesy of the interview granted to Applicants' representatives on August 26, 2009. During the interview, the outstanding rejections were discussed as well as proposed amendments to overcome these rejections. Examiner Shiu agreed that an amendment as is included herewith may overcome the rejection of record, subject to further search and consideration.

With regard to the rejection of Claims 1, 6, 9, 14, 17, and 18 as unpatentable over Sato in view of Kyojima and further in view of Takaragi, that rejection is respectfully traversed.

Amended Claims 1, 6, 9, 14, 17, and 18 recite in part "said proxy device complying with an HTTP standard except that a file size is never removed from the acquire/use file when passing the acquire/use file through the proxy device."

As previously noted, §4.4 of the HTTP standard describes that "If a Content-Length header field (section 14.13) is present, its decimal value in OCTETs represents both the entity-length and the transfer-length. The Content-Length header field MUST NOT be sent if these two lengths are different (i.e., if a Transfer-Encoding header field is present). If a message is received with both a Transfer-Encoding header field and a Content-Length header field, the latter MUST be ignored." (Emphasis original.) Thus, under the HTTP standard, a proxy device *always* removes some information from a message *meeting the above description*. In contrast, the claimed invention *never* removes the file size from the acquire/use file when passing the acquire/use file through the proxy device.

In contrast, Sato describes the use of the HTTP standard, and thus must also have this property as described in the standard. Accordingly, not only does Sato not teach or suggest "said proxy device complying with an HTTP standard except that a file size is never removed from the acquire/use file when passing the acquire/use file through the proxy device," modifying Sato to include this feature would make Sato unsuitable for its intended purpose, which is providing HTTP compliant communication.

Further, Kyojima only describes the storage of data that a user cannot change, and does not describe anything related to communications according to the HTTP standard. Accordingly, Kyojima also does not teach or suggest "said proxy device complying with an HTTP standard except that a file size is never removed from the acquire/use file when passing the acquire/use file through the proxy device."

Finally, Takaragi describes a method of controlling information written into a storage media. Takaragi does not describe storing any data from an acquire/use file sent in

11

compliance with HTTP (Hyper Text Transfer Protocol), and in fact does not mention HTTP. Accordingly, modifying Sato to violate the HTTP standard based on Takaragi would make Sato unsuitable for its intended purpose, which is providing HTTP compliant communication. Accordingly, not only does Takaragi fail to teach or suggest "said proxy device complying with an HTTP standard except that a file size is never removed from the acquire/use file when passing the acquire/use file through the proxy device," there can be no suggestion or motivation to modify Sato to include this feature.

Thus, it is respectfully submitted that the proposed combination does not teach or suggest "said proxy device complying with an HTTP standard except that a file size is never removed from the acquire/use file when passing the acquire/use file through the proxy device" as defined in recited in amended Claims 1, 6, 9, 14, 17, and 18, and there is no suggestion or motivation to modify Sato to include such a feature. Consequently, Claims 1, 6, 9, 14, 17, and 18 (and Claims 2-5, 7, 8, 10-13, 15, 16, 19, and 20 dependent therefrom) are patentable over Sato in view of Kyojima and further in view of Takaragi.

With regard to the rejection of Claims 4 and 12 as unpatentable over Sato in view of Kyojima and Takaragi and further in view of Dansie, it is noted that Claims 4 and 12 are dependent from Claims 1 and 9, and thus are believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Dansie does not cure any of the above-noted deficiencies of Sato, Kyojima, and Takaragi. Accordingly, it is respectfully submitted that Claims 4 and 12 are patentable over Sato in view of Kyojima and Takaragi and further in view of Dansie.
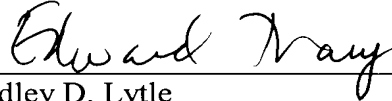
12

Accordingly, the pending claims are believed to be in condition for formal allowance.

An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.

Edward Tray

Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Edward W. Tracy, Jr.
Registration No. 47,998

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 07/09)

13